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November 10, 2020

MEMORANDUM ENDORSEMENT

VIA ECF

Hon. Gabriel W. Gorenstein, U.S.M.J.
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Penate et al v. DBTG Chambers LLC et al, Index No. 19-cv-08767-VEC-GWG

Your Honor:

As the Court is aware, this firm represents Plaintiffs in the above-referenced matter. I write to request an adjournment of the settlement conference currently scheduled for this Thursday, November 12. I submit this request by letter motion pursuant to instructions transmitted to me today telephonically by the Court's deputy (or another individual who answered the telephone in chambers).

The Court ordered Plaintiffs to ensure that pro se individual Defendant Joseph Ciriello was informed as to the date and time of the conference as well as the dial-in information for telephonic participation. Towards that end, the undersigned counsel sent a letter containing such information to Defendant Ciriello via regular mail. Electronic mail, and LinkedIn. In the letter, I requested that the Defendant promptly contact me via telephone upon receipt to confirm such receipt. Having not received such confirmation, I sent a copy of the letter last week via certified mail, return receipt requested (Tracking Number: 9414711699000374212264). I have not yet received the return receipt, and per the USPS website when I checked earlier today, the mailing has not yet been delivered. Accordingly, Plaintiffs request an adjournment of the conference currently scheduled for November 12 and a rescheduling which allows sufficient time for Plaintiffs to send notice of such date to Defendant Ciriello and confirm his receipt of such notice.

On behalf of Plaintiffs, I thank the Court for its time and attention to this matter.

Respectfully Submitted,

/s/Jordan Gottheim
Jordan Gottheim

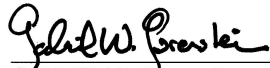
Cc: Joseph Ciriello (via certified mail)

MEMORANDUM ENDORSEMENT

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Conference adjourned to December 2, 2020, at 3:30 p.m. The procedures in the Court's order of October 21, 2020 otherwise apply. The plaintiffs' letter to the Court is due November 23, 2020. Plaintiffs are directed to mail a copy of this Memorandum Endorsement to the pro se defendant and to confirm (by telephone if possible in addition to other means) that he is aware of his obligation to dial into the telephone conference and the method for doing so. If defendant fails to respond to the efforts to confirm, counsel shall inform the Court immediately by letter.

So Ordered.



GABRIEL W. LORENSEN
United States Magistrate Judge
November 10, 2020